

# **PLANNING BOARD MINUTES**

**September 9, 2009**

**Board members present:**

**Art Weber, Chairman   Ron Wolanski, Town Planner**

**Audrey Rearick   Frank Holbrook, Assistant Solicitor**

**Richard Adams**

**Betty Jane Owen**

**Gladys Lavine**

**Jan Eckhart**

**Frank Forgue**

**The meeting was called to order at 6:30 pm.**

**Minutes:**

**Motion by Ms. Owen, seconded by Mr. Forgue, to approve the minutes of the August 12, 2009 regular Planning Board meeting, and the special meeting of August 27, 2009. Vote: 7-0-0.**

**Old Business**

**1. Request of Mark Horan, Horan Building Co., for final release of performance security for the Overlea Farm Subdivision, Gossets Turn Rd. Plat 105, Lot 18**

**Mr. Wolanski stated that the Town Engineer has yet to certify satisfactory completion of all required subdivision improvements. Town staff met with Mr. Horan to review the remaining deficiencies at**

which point Mr. Horan indicated that the items will be addressed.

Mr. Wolanski recommended that the Board table the matter until such time as the certification from the Town Engineer that the project is complete is received. At that time the abutters would be notified again of the pending release of security.

Several Planning Board members expressed concern over the amount of time it has taken to complete the subdivision requirements.

Mr. Wolanski stated that subdivisions are required to be completed within two years. If the developer is found to be in default, the town would have the ability to use the security to complete the project.

Mr. Weber proposed that a deadline for completion of all outstanding items be set.

Motion by Mr. Adams, seconded by Ms. Rearick, to table this matter until the subdivision is certified complete by the Town Engineer, and to request that the Town Planner send a letter to the developer notifying him that if the project is not completed by November 1, 2009, the Board will consider executing the security to complete the remaining work. Vote: 7-0-0.

2. Request of the Town Council for Planning Board review and recommendation on latest draft proposed Zoning Ordinance amendments relating to wind energy conversion facilities and proposed revisions.

Mr. Weber stated that the Town Solicitor's office has provided the final draft of the proposed ordinance.

Mr. Wolanski stated that the draft includes the revisions discussed at

**the special Planning Board meeting on August 27th.**

**Finding that the proposal is consistent with the Middletown Comprehensive Plan, and the purposes of the zoning ordinance as defined in RIGL section 45-24-30, motion by Ms. Owen, seconded by Mr. Forgue, to forward a positive recommendation to the Town Council on the draft ordinance. Vote 7-0-0.**

**3. Request of the Zoning Board of Review for review and recommendation on an application by MetroPCS, LLC for a proposed disguised wireless telecommunications facility at 747 Aquidneck Ave., Plat 114, Lot 511.**

**4. Request of the Zoning Board of Review for review and recommendation on an application by Cox TMI Wireless, LLC for a proposed disguised wireless telecommunications facility at 747 West Main Rd., Plat 114, Lot 511.**

**The Board combined discussion of the proposals for 747 Aquidneck Ave. by Metro PCS and Cox TMI.**

**Mr. Weber stated that there should be coordination between the two carriers at this location.**

**Mr. Wolanski stated that the primary concern is that the appearance of the two facilities be consistent.**

**Attorney Jackie Slaga described the Metro PCS proposal for a rooftop disguised facility at the subject location. Since the last Planning Board meeting her client has reviewed the concerns expressed by the Planning Board over the visibility of the faux flue pipes. As a result the height of the antennas was reduced by two feet. The locations were not changed due to the need to be near the edge of the roof to**

**maximize coverage area.**

**Board members indicated that the reduction in the height is an improvement.**

**Attorney Scott Lacey represented Cox TMI. He indicated that the proposal would include one faux flue pipe, which could be constructed to match the proposed Metro PCS facility. Equipment will be housed within the building.**

**There was discussion over the design of the faux flue pipes. The Metro PCS proposal includes caps on the pipes, while the Cox proposal does not. The majority of Board members indicated that they prefer the design including the cap.**

**Motion by Ms. Rearick, seconded by Mr. Forgue, to forward a positive recommendation to the Zoning Board of Review on the revised proposal by Metro PCS at 747 Aquidneck Ave. Vote: 7-0-0.**

**Motion by Mr. Forgue, seconded by Ms. Rearick, to continue the Cox TMI proposal for 747 Aquidneck Ave. to the October 14, 2009 regular Planning Board meeting in order for a revised design to be provided. Vote: 7-0-0.**

**5. Request of the Zoning Board of Review for review and recommendation on an application by Cox TMI Wireless, LLC for a proposed disguised wireless telecommunications facility at 2 Corporate Place, Plat 106, Lot 171.**

**Attorney Scott Lacey represented the applicant. Mr. Lacey described the proposed design, which will have the antennas installed within faux chimneys.**

**Board members indicated that the proposed design of facility is**

**acceptable.**

**Motion by Ms. Rearick, seconded by Ms. Owen, to forward a positive recommendation on the proposal to the Zoning Board of Review.**

**Vote: 7-0-0.**

#### **6. Update - Comprehensive Community Plan 5-year update**

**Mr. Weber stated that the Comprehensive Plan Update committee continues its work to review and update the plan. The next meeting of the committee is scheduled for September 17th, 5pm.**

#### **New Business**

**7. Request of the Zoning Board of Review for review and recommendation on an application by Cox TMI Wireless, LLC for a proposed disguised wireless telecommunications facility at 317 West Main Rd., Plat 108, Lot 131.**

**Attorney Scott Lacey represented the applicant. Mr. Lacey described the proposed design, which will include antennas contained within faux flue pipes. The equipment will be housed in an enclosure located on the ground adjacent to the building.**

**Motion by Mr. Eckhart, seconded by Mr. Forgue, to forward a positive recommendation on the proposal to the Zoning Board of Review.**

**Vote: 7-0-0.**

**Motion by Ms. Owen, seconded by Mr. Forgue, to adjourn. Vote: 7-0-0**

**The meeting adjourned at 7:05pm**